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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR		ATTORNEY DOCKET NO.
09/199,933	11/25/98	BURT	К	1002-124B
		PM92/0202		EXAMINER
JEFFREY S STANDLEY ESQ			LAGMAN	۷, F
STANDLEY & GILCREST			ART UNIT	PAPER NUMBER
495 METRO PI SUITE 210		,	3673	(2
DUBLIN OH 4	3017	•	DATE MAILED): 02/02/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No. 09/199,933 Applicant(s)

Examiner

Frederick L. Lagman

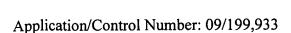
Group Art Unit 3673

Burt



Responsive to communication(s) filed on	·	
☐ This action is FINAL .		
Since this application is in condition for allowance in accordance with the practice under Ex parte Qu	except for formal matters, prosecution as to the merits is closed rayle, 1935 C.D. 11; 453 O.G. 213.	
is longer, from the mailing date of this communication	on is set to expire 3 month(s), or thirty days, whichever n. Failure to respond within the period for response will cause the). Extensions of time may be obtained under the provisions of	
Disposition of Claims		
X Claim(s) <u>1-20</u>	is/are pending in the application.	
Of the above, claim(s)	is/are withdrawn from consideration.	
☐ Claim(s)	is/are allowed.	
	is/are rejected.	
	is/are objected to.	
	are subject to restriction or election requirement.	
Application Papers		
	ent Drawing Review, PTO-948.	
☐ The drawing(s) filed on is		
☐ The proposed drawing correction, filed on		
☐ The specification is objected to by the Examine		
\square The oath or declaration is objected to by the Ex	kaminer.	
Priority under 35 U.S.C. § 119		
Acknowledgement is made of a claim for foreign	gn priority under 35 U.S.C. § 119(a)-(d).	
☐ All ☐ Some* ☐ None of the CERTIFIE	D copies of the priority documents have been	
received.		
received in Application No. (Series Code.		
	n from the International Bureau (PCT Rule 17.2(a)).	
*Certified copies not received:	and ariarity under 25 H C C & 110/o)	
Acknowledgement is made of a claim for dome	estic priority under 35 U.S.C. & 119(e).	
Attachment(s)		
Notice of References Cited, PTO-892 Notice of References Cited Cite		
☐ Information Disclosure Statement(s), PTO-1449	₹, Paper No(s).	
☐ Interview Summary, PTO-413	,	
☒ Notice of Draftsperson's Patent Drawing Revie		
□ Notice of Informal Patent Application, PTO-152	2	
A== A===A== 4.4	07/04/04/7//5 504/04/4/0 DAOSS	
SEE OFFICE AC	CTION ON THE FOLLOWING PAGES	

Office Action Summary



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DETAILED ACTION

Drawings

1. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 3. Claims 1-20 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Lewis #5,333,971. Lewis discloses a retaining panel made from plastics or fiberglass, the panel comprising a central portion 18, first and second side portions 17, and first 14 and second 16 flanges, said first and second flanges including either a male 30 or female 32 connecting portions which allows for connection to a similar adjacent panel. The panel has a substantially uniform thickness, the side portions extend from the central portion at the same angle, the central portion has a substantially level outer surface, the first and second portions having intermediate sections that have substantially level outer surfaces, and the proximal portions of the flanges have

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substantially level outer surfaces, and wherein the central portion is approximately parallel to the proximal portions of the flanges.

Conclusion

- 4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Yeates et al discloses a panel (see figures 5e and 5f) which reads on claims 1-20 as broadly recited. Hobbs, Oberschulte, and Hilpert disclose panels which read on claims 1-12, 14-17 and 19 as broadly recited; furthermore, claims 13, 18, and 20 which includes the limitation of the panel being made from PVC would be met by Lewis, Wickberg, or Yeates et al.
- 5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frederick L. Lagman whose telephone number is (703) 305-7456.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mrs. Eileen Lillis, can be reached at (703) 308-3248. The fax phone number for this Group is (703) 305-7687.

Eileen Dunn Lillis Primary Examiner

FLL

January 128, 2000